

A. G. Contract No. KR98 0973TRN  
ADOT ECS File No.: JPA 98-74  
Project: N-900-0-533/H4761 01C  
Section: Riordan State Park

INTERAGENCY AGREEMENT  
BETWEEN  
THE ARIZONA DEPARTMENT OF TRANSPORTATION  
AND  
THE ARIZONA STATE PARKS BOARD

THIS AGREEMENT is entered into 9-10-98, 1998,  
between the agencies of the STATE OF ARIZONA, to wit; the DEPARTMENT OF  
TRANSPORTATION (the "ADOT") and the ARIZONA STATE PARKS BOARD, acting  
by and through its Executive Director (the "Parks Board").

I. RECITALS

1. The ADOT is empowered by Arizona Revised Statutes Section 28-401 to  
enter into this agreement and has by resolution, a copy of which is attached hereto and  
made a part hereof, resolved to enter into this agreement and has delegated to the  
undersigned the authority to execute this agreement on behalf of the ADOT.

2. The Parks Board is empowered by Arizona Revised Statutes Section 41-  
511.05 to enter into this agreement and has by resolution, a copy of which is attached  
hereto and made a part hereof, resolved to enter into this agreement and has  
authorized the undersigned to execute this agreement on behalf of the Parks Board.

3. The ADOT and the Parks Board desire to construct interior roadway  
improvements to Riordan State Park, at an estimated cost of \$300,000.00, hereinafter  
referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed  
as follows:

=====

NO. 22467

Filed with the Secretary of State

Date Filed: 07/09/98

Betty Gayless

Secretary of State

By Vicky D. Graenewald

## II. SCOPE OF WORK

1. According to ADOT standards and specifications, and at its own cost, ADOT will design, call for bids and award one or more construction contracts for the Project, administer same and make all payments to the contractor. ADOT will be responsible for any contractor claims for extra compensation on the Project.

2. The work includes, but is not limited to improvements to park interior roads. The estimated cost of these improvements is \$300,000.00.

3. ADOT may acquire in the name of the Parks Board additional rights of way as may be required for the Project, and, the Parks Board hereby authorizes ADOT to condemn rights of way in the name of the Parks Board, as necessary to accomplish said acquisition(s). The Parks Board shall accept any right of way for the Project acquired by ADOT as part of the State Park system. The Parks Board will provide ADOT at no cost a road easement from Northern Arizona University (NAU) that will allow ADOT to construct additional park interior roads on NAU land between the east boundary of the Park site and Riordan Road.

4. Upon completion and acceptance of the Project by ADOT, maintenance and operation of the Project within the park and on the NAU easement land shall be the sole responsibility of the Parks Board.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a Project construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

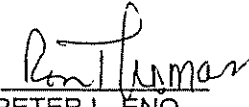
Arizona State Parks Board  
Facility Development Chief  
1300 West Washington Street  
Phoenix, AZ 85007

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA  
State Parks Board

By   
KEN TRAVOUS  
Executive Director

STATE OF ARIZONA  
Department of Transportation

By   
PETER L. ENO  
Contract Administrator

RESOLUTION

BE IT RESOLVED on this 11th day of May 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Arizona State Parks Board for the purpose of defining responsibilities for the design, construction and maintenance of park interior roads at Riiordan State Park.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Contract Administrator for approval and execution.

A handwritten signature in black ink, appearing to read 'D. Allocco', is written over a horizontal line.

DAVID ALLOCCO, Manager  
Engineering Technical Group  
for Mary E. Peters, Director



GRANT WOODS  
ATTORNEY GENERAL

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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-0973TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE June 25, 1998.

GRANT WOODS  
Attorney General

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:et/13280

Enc.